

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 YOUSIF H. HALLOUM and IMAN Y.
5 HALLOUM,

Case No. 2:22-cv-01787-JAD-EJY

6 Plaintiffs,

REPORT AND RECOMMENDATION

7 v.

8 CALIBER HOME LOANS; FAY
9 SERVICING; RED ROCK FINANCIAL;
ASSESSMENT MANAGEMENT SERVICES;
10 CAMCO HOMEOWNERS ASSOCIATION
MANAGEMENT; LEVEL COMMUNITY
MANAGEMENT; AMERICAN RECOVERY
SERVICES; and TERRAWEST
11 MANAGEMENT SERVICERS.

12 Defendants.

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14 Pending before the Court is Caliber Home Loan's Motion to Strike Plaintiffs' Final Amended
15 Complaint, ECF No. 79, in which every other served defendant joined. *See* ECF Nos. 83, 84, 86, 87,
16 89. No opposition to the Motion and Joinders was filed. Under Local Rule 7-2(d) the Court may
17 treat the failure of the non-moving party to oppose a motion as consent to granting the Motion.

18 Accordingly, IT IS HEREBY RECOMMENDED that the Motion to Strike Plaintiffs' Final
19 Amended Complaint (ECF No. 79) be GRANTED.

20 IT IS FURTHER RECOMMENDED that the Final Amended Complaint (ECF No. 76) be
21 stricken from the docket.

22 Dated this 29th day of March, 2023.

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24 ELAYNA J. YOUCRAH
25 UNITED STATES MAGISTRATE JUDGE
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NOTICE

Pursuant to Local Rule IB 3-2, any objection to this Finding and Recommendation must be in writing and filed with the Clerk of the Court within fourteen (14) days. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file objections within the specified time and (2) failure to properly address and brief the objectionable issues waives the right to appeal the District Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).